

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X Case No.: 13-cv-06230-CBA-JO

SARAH SETTON
on behalf of herself and
all other similarly situated consumers,

Plaintiff,
-against-

**OPPOSITION TO
DEFENDANT'S MOTION
SEEKING WITHDRAWAL OF
COUNSEL**

GREYSTONE ALLIANCE LLC.

Defendant.
-----X

1. Plaintiff by her attorneys Levi Huebner & Associates, PC, opposes the application of Defendant seeking the withdrawal of its counsel.

2. Defendant's application consists of a conglomeration of conclusory unsubstantiated excuses for withdrawal.

3. Counsel for Defendant Brendan H. Little ("Counsel") alleges that "[his] previous calls concerning this matter had gone unreturned." However, he fails to specify when and/or how many calls to his client regarding this matter were unreturned. Notably, absent from his declaration are any attempts of Counsel to memorialize the alleged non-communication in writing.

4. Counsel alleges that "[his] firm has not been paid for its legal services for a significant period of time." However, he fails to specify what "period of time" or the sum due to his firm for "legal services". Notably, absent from his declaration is any attempt of Counsel to rectify the alleged non-payment with his client in writing.

5. Counsel alleges that his firm was terminated during a telephone call with an unnamed general counsel of Defendant. Notably, absent from his declaration is any evidence that the alleged termination was with the knowledge and/or consent of a principal of Defendant.

6. Interestingly, pursuant to Counsel's allegations it seems that Defendant is seeking to be rewarded with a stay of the within action after having summarily terminated the services of Brendan H. Little and his firm Lippes Mathias Wexler Friedman LLP without having alternative counsel available.

7. Plaintiff opposes the withdrawal of Counsel and views this as further subterfuge and delay of Defendant and Counsel.

Dated: Brooklyn, NY
November 10, 2014

Levi Huebner & Associates, PC

/ s / Levi Huebner

By:

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